

REMARKS**35 USC § 103 Rejections of the Claims**

Claims 1, 3-4, 14 and 16-18 stand rejected under 35 USC § 103(a) as being unpatentable over Vetvicka *et al.*, Jamas *et al.*, Hortobagyi, Sliwkowski as evidenced by Gelderman *et al.* and Kolb *et al.*

Claims 1 and 3 stand rejected under 35 USC § 103(a) as being unpatentable over Cheung in view of Jamas *et al.*

Applicant respectfully traverses both rejections but has amended Claims 1, 16-18 to indicate that the tumor cells, tumors and carcinomas are stably expressing antibody-specific antigens. Claims 3-4 and 14 depend from Claim 1 and includes all of the features of Claim 1. Therefore, remarks that refer to Claim 1 apply equally to each dependent claim.

As suggested by the Examiner, Applicant asserts that the present invention shows unexpected results that overcome the nonobviousness rejection. With the above-described amendments, the claims are now commensurate in scope with the unexpected results.

The present application compares the combination of barley beta glucan and antibody to yeast beta glucan and antibody. The experiments are exemplified in Figs. 11A and 11B. Applicant's results, when taken in light of Cheung, show that the synergy of yeast beta glucan in combination with antibody is unexpected to one skilled in the art. Cheung suggests that yeast beta glucan would be less effective. Therefore, one skilled in the art would not have predicted that yeast beta glucan would actually be substantially more effective. Applicant respectfully requests that the rejection be reconsidered and withdrawn.

Supplemental Information Disclosure Statement

A Supplemental Information Disclosure Statement (IDS) was filed on September 23, 2010 and a Supplemental IDS is being filed herewith. Entry of the Supplemental IDSs is respectfully requested.

CONCLUSION

In view of the above amendments and remarks, it is believed that all claims (1, 3-4, 14 and 16-18) are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

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